

IN THE SENATE OF THE UNITED STATES.

JANUARY 5, 1858.—Ordered to be printed.

Mr. MASON made the following

REPORT.

[To accompany Bill S. 29.]

The Committee on Foreign Relations, to whom were referred the petitions of William K. Jennings and Aphia Jennings, Henry A. Wise, Ann Robinson, Edward Rudd, Mary Martin, and Benjamin Hodges, severally asking compensation for slaves taken and carried away by the British during the war of 1812, out of the fund provided for under the first article of the treaty of Ghent, having had the same under consideration, respectfully report :

That, from the testimony accompanying the petition of William K. Jennings and Aphia Jennings, it appears that, some time during the late war with Great Britain, while the enemy's fleet was lying in the Chesapeake bay, a negro man, Sam, aged about twenty-one years, the property of William Bean, the father of the petitioner, Aphia Jennings, and a negro woman, Easter, the property of Sarah Almond, escaped from the possession of their said owners, in the county of Elizabeth city, in the State of Virginia, and were carried off by the said fleet, and were never afterwards recovered. That the said Sarah Almond was the sister of said William Bean, and died intestate and without issue in his lifetime, leaving him her only heir at law. That the said William Bean has since died, leaving his daughter, Aphia Jennings, his only heir at law ; and, further, that the belief that the fund provided for such cases had all been exhausted, has hitherto prevented an application for relief in this case.

In the case of Henry A. Wise, it is shown by the evidence filed that, in the fall of 1814, a negro man, Nelson, aged about nineteen years, previously allotted to the petitioner in the division of his father's estate, ran away to the British fleet, then lying near Tangier island, in the Chesapeake bay, and was carried away on board of the Dragon, 74, and in the latter part of January, 1815, landed on Cumberland island, on the southeastern coast of Georgia, placed in one of

the colored regiments, and never returned to his owner. As a reason for the delay in presenting this claim, the petitioner states that he was but eight years of age at the time of the escape of said slave; that his first guardian, John Cropper, died in the year 1821, before any distribution of pay for deported slaves was made by the commissioners under the treaty of Ghent; and that his second guardian, John Custis, was not informed of the loss of said slave until it was too late to have it acted upon by the commissioners.

In the case of Ann Robinson, it is shown by the evidence that on the day of the memorable action at Hampton, Virginia, in June, 1813, a negro man, Hampton, the property of the petitioner's husband, Henry Robinson, was forcibly taken from the possession of said Henry Robinson, in the county of Elizabeth city, Virginia, and carried on board of the British ships then lying in Hampton roads, and has never been returned. That, under the will of her said husband, Henry Robinson, (a copy of which is filed with the petition,) she is entitled, as residuary legatee, to whatever compensation may be allowed for said slave. And the petitioner further states that she was not aware until recently that any provision had ever been made for the payment of such claims.

In the case of Edward Rudd, the testimony shows that the petitioner is the son and heir of Edward Rudd, deceased, late of Elizabeth city county, Virginia. That some time during the late war with Great Britain, while the enemy's ships were lying in Hampton roads, six slaves—a negro man, Stepney, a negro woman, Crinner, and four children—were taken from the possession of the petitioner's father and carried off by the British, and have never been returned.

In the case of Mary Martin, it appears from the testimony that in the year 1813, during the late war with Great Britain, a negro man named Ned, the property of her former husband, Robert Lindsay, was captured by the enemy and carried away from the possession of his owner, then residing in Charleston, South Carolina, and never afterwards recovered. And in the case of Benjamin Hodges, it appears that the negro man Phil, belonging to the husband of the petitioner, was taken off by the British army on its return from Washington city to the fleet then lying in the Patuxent; and that the owner of said slave has never regained him.

It appears from Ex. Doc. No. 122, accompanying a letter from the President of the United States to the House of Representatives, dated March 8, 1826, that the average value of the slaves taken and carried away by the British from the State of Virginia, as agreed upon and fixed by the commission appointed under the award of the emperor of Russia, was \$280 each, and those taken from the State of South Carolina at \$390 each. It further appears, from a certificate of the Register of the Treasury, dated February 26, 1852, "that the balance unpaid of the fund received from Great Britain under the first article of the treaty of Ghent, amounts to \$4,112 89," and upon recent inquiry at the Treasury Department, the committee have ascertained that that amount still remains unexpended.

Balance in the treasury of the fund received from Great Britain as

indemnity for slaves taken and carried away by the British in the war of 1812, per Register's certificate..... \$4,112 89

Of which this bill provides the following payments, viz :

To William K. Jennings and wife, for four slaves, at \$280	\$1,120
To Henry A. Wise, for one slave.....	280
To Ann Robinson, for one slave	280
To Edward Rudd, for six slaves, at \$280	1,680
To Robert Lindsay's representatives, for one slave... ..	390
	<hr/> 3,750 00

Leaving balance of the fund still remaining	362 89
---	--------

From two several letters emanating from the Department of State, one dated February 24, 1852, and the other June 26, 1854, it appears that none of the above named petitioners have ever received any compensation for the slaves taken and carried away as above stated.

Your committee report a bill in conformity with the above state of the case, and recommend its passage.

